

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN KILGALLON, DANIEL C.  
MOSTELLER, AND STEPHEN  
HOUGHTALING,

Defendants.

**1:21-CR-10023**

**ORDER**

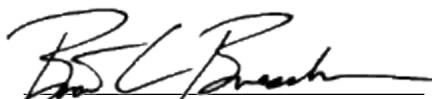
This matter is before the Court on Defendants' Motion to Quash Subpoenas Duces Tecum, Filing 52. The prosecution has withdrawn the subpoenas at issue in Defendants' motion, *see* Filing 56 at 2. Therefore, Defendants' motion, Filing 52, is denied as moot. The hearing on this matter previously scheduled for October 6, 2021 is canceled.

The prosecution filed a new Motion for Issuance of Subpoenas Duces Tecum Pursuant to Rule 17(c). Filing 57. Defendants are directed to file any response to the prosecution's motion no later than 1:00 p.m. on Thursday, October 7, 2021.

The parties are directed to meet and confer and seek to come to agreement regarding any subpoena to be issued in this matter. The parties are directed to communicate with the Court no later than Friday, October 8, 2021 at 10:00 a.m. as to whether they have come to any arrangement as to the subpoena that would forgo the need for the Court to resolve this matter.

Dated this 5th day of October, 2021.

BY THE COURT:

  
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Brian C. Buescher  
United States District Judge